REMARKS

Election Of Invention And Sub Invention

In the Office Action of September 23, 2009, the Examiner restricted the pending claims into three (3) groups ("Inventions"):

Group I, including claims 1-21, drawn to methods of treatment of fetal alcohol syndrome;

Group II, including claims 22-27, drawn to method for reducing neuronal cell death;

and

Group III, including claims 28-33, drawn to pharmaceutical compositions.

The Examiner requested Applicants to elect one of Groups I, II, or III.

Applicants herewith elect Group I without traverse. Upon entering this amendment, claims 1-21, 34, and 35 are claims encompassing the elected invention.

Status of the Claims

Claims 1-33 were pending. Claims 34-35 have been added. Claims 22-33 have been cancelled herewith as being drawn to non-elected groups. The cancellation of these claims is in no way an admission that the claims are drawn to non-patentable subject matter. Applicants expressly reserve the right to pursue any cancelled or withdrawn subject matter in later filed related applications.

Thus, claims 1-21, 34, and 35 are pending and are presented for examination.

Amendments To The Claims

Applicants have amended claim 1 to better describe what Applicants consider the invention. Claim 1 has been amended to recite the method steps in the claimed invention by (i) selecting a pregnant female having consumed alcohol during pregnancy in an amount sufficient to initiate a condition associated with fetal alcohol syndrome in the subject and (ii) administering

to the subject an ADNF polypeptide in an amount sufficient to reduce in the subject the condition associated with fetal alcohol syndrome. The amendment introduced makes clear that the administration of the ADNF polypeptide occurs post-alcohol exposure to the subject *in utero*, i.e., after a pregnant female consumed alcohol during pregnancy in an amount sufficient to initiate a condition associated with fetal alcohol syndrome in a subject. Support for this amendment can be found in Applicants' specification, e.g., on page 1, lines 28-33; on page 2, lines 25-32; on page 7, lines 27-28 (*see* also Figure 2); on page 8, lines 2-9 (*see* also Figure 3); on page 10, line 18 to page 11, line 7; on page 42, line 31; and on page 47, lines 28-29.

Claims 2, 3, 5-7, and 9-16 have been amended for clarity.

Claims 34 and 35 have been added new. Both claims depend on claim 1. Claim 34 recites that step (ii) of claim 1 comprises administering the ADNF polypeptide directly to the subject. Support for this claim can be found in Applicants' specification, e.g., on page 20, lines 10-11. Claim 35 recites that step (ii) of claim 1 comprises administering the ADNF polypeptide to the pregnant female during pregnancy. Support for this claim can be found in Applicants' specification, e.g., on page 20, lines 11-12.

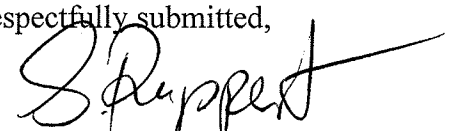
No new matter has been introduced by way of these amendments.

CONCLUSION

Payment for newly added claims is enclosed herewith. Applicants believe that no additional fee is required. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from; or credit any overpayment to, the above-noted Deposit Account.

If the Examiner believes a telephonic conference would expedite prosecution of this application, please telephone the undersigned at (415) 576-0200.

Respectfully submitted,



Siegfried J.W. Ruppert, Ph.D.
Reg. No. 44,312

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
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